

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE\* BEFORE THE  
SW/S Georgia Avenue, 225' NW of the  
c/l of Brian Street  
(2819 Georgia Avenue)  
13th Election District  
1st Councilmanic District  
Louis Harry Young, et ux  
Petitioners  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-377-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for Baltimore County as a Petition for Administrative Variance in which the Petitioners request relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (garage) to be located in the side yard in lieu of the required rear yard, as more particularly described on the plan submitted and marked Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 400.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED BY the Zoning Commissioner for Baltimore County this 7th day of May, 1992 that the Petition for Administrative Variance requesting relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (garage) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) There shall be no automotive service work performed in the garage or on the premises.
- 4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:bjs

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

May 7, 1992

(410) 887-1486

Mr. Louis H. Young  
2819 Georgia Avenue  
Baltimore, Maryland 21227

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SW/S Georgia Avenue, 225' NW of the c/l of Brian Street  
(2819 Georgia Avenue)  
13th Election District - 1st Councilmanic District  
Louis H. Young, et ux - Petitioners  
Case No. 92-377-A

Dear Mr. & Mrs. Young:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

file

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-377-A

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1 of the B.C.Z.R. TO PERMIT AN ACCESSORY BUILDING (GARAGE) IN THE SIDE YARD IN LIEU OF THE REAR YARD.

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

1. Cant put pool in side yard because of trees and tree stump and because of over head electric wires.
2. No good access from grassy alley to narrow to turn into yard would have to go in neighbors yard.
3. Trees and tree stumps, shed and pool in back yard are all in the way. would have to move everything.
4. Dont want to ride thru yard because of grandchildren and dogs playing.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

(Signature)

Address

City

State

Zip Code

(Signature)

Address

City

State

Zip Code

(Signature)

Address

City

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Address

City

State

Zip Code

ORDER RECEIVED

Date: 5/14/92

By: [Signature]

RECEIVED BY: [Signature] DATE: 5/16/92

ESTIMATED POSTING DATE: ESTIMATED CLOSING DATE: ITEM #:



ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF ADMINISTRATIVE VARIANCE 92-377-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:  
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at: 2819 Georgia Ave  
Baltimore Md. 21227

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. cant put pool in the side yard because of the trees and tree stumps also because of over head electric wires.
2. No good access from grassy alley to narrow to turn into yard would have to go onto neighbors yard.
3. Trees and Tree tsumps, shed and pool in the back yard are all in the way we would have to move everything.
4. I dont want to ride thru the yard because of grandchildren and the dogs playing.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Louis Harry Young Beverly T Young  
Louis Harry Young Beverly T Young  
(Type or print name) (Type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 11 day of May, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Louis Harry Young Beverly T Young  
Louis Harry Young Beverly T Young  
(Type or print name) (Type or print name)

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

My Commission Expires: 7-94

THE DESCRIPTION

- 3 copies required

Three copies (separate pages) of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, are too wordy but some of the information must be used. The zoning description must be in the following form:

ZONING DESCRIPTION

Beginning at a point on the (north, south, east or west) side of (name of street on which property fronts) which is (number of feet of right-of-way width) wide at the distance of (number of feet) (north, south, east or west) of the centerline of the nearest improved intersecting street (name of street) which is (number of feet of right-of-way width) wide. \*Being Lot(s) (25, Block (C), Section (1) in the subdivision of (name of subdivision) as recorded in Baltimore County Plat Book # (21, Folio # (32), containing (number of total square feet or acres in lot). Also known as 2819 GEORGIA AVE. (property address) and located in the (13th) Election District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed (Book ( ), Folio ( ))" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 67° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 310 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 13 Date of Posting: 5-13-92  
Posted for: [Signature]  
Petitioner: Louis H. Young, et ux  
Location of property: SW/S Georgia Avenue, 225' NW of Brian Street  
Location of Signs: [Signature]  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 5-16-92  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date

Account: R0016150  
Number

92-377-A

Please Make Checks Payable To: Baltimore County \$50.00  
A 001330, AND-00-00

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

April 30, 1992

(410) 887-3353

Mr. & Mrs. Louis H. Young  
2819 Georgia Avenue  
Baltimore, MD 21227

RE: Item No. 400, Case No. 92-377-A  
Petitioner: Louis H. Young, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. Young:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this  
11th day of March, 1992.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:

*W. Carl Reichard Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Louis H. Young, et ux  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: April 14, 1992  
TO: Arnold Jablon, Director  
Zoning Administration & Development Management  
FROM: Ervin McDaniel, Chief  
Development Review Section  
Office of Planning and Zoning  
SUBJECT: PETITIONS FROM ZONING  
ADVISORY COMMITTEE - APRIL 13, 1992

The Office of Planning and Zoning has no comments on the  
following petitions:

Paul R. Rochlin	-	Item No. 392
Ronald W. Chapman	-	Item No. 394
Rose L. Mroy	-	Item No. 396
Rose L. Mroy	-	Item No. 397
Charles G. Scherr	-	Item No. 398
Charles G. Scherr	-	Item No. 399
Louis H. Young	-	Item No. 400
Robert L. Jones	-	Item No. 403
S. Edward Hargest	-	Item No. 404
Gary W. Hohne	-	Item No. 406
George P. Nixon	-	Item No. 408
Steven R. Goff	-	Item No. 413

jm  
PETITNS1.ZON

RECEIVED  
APR 21 1992  
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: April 16, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
FROM: Stephen E. Weber  
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 13, 1992  
ITEM NUMBER: 400

The garage should create no additional access points onto Georgia Avenue

*Stephen E. Weber*  
Stephen E. Weber, P.E.  
Assistant Traffic Engineer

SEW/jm

RECEIVED  
APR 21 1992  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

April 15, 1992

TO: Arnold Jablon, Director  
Zoning Administration and Development Management  
FROM: DIVISION OF GROUND WATER MANAGEMENT  
SUBJECT: Zoning Comments

The agenda for the zoning advisory committee meeting of April 13, 1992  
has been reviewed by the Department of the Environmental Protection and  
Resource Management staff.

There is no comment for the following item numbers:

392  
398  
399  
400  
401  
404  
407  
408  
413  
414  
417

SSF:mp

ZNG.NCS/GWRMP

RECEIVED  
APR 21 1992  
ZONING OFFICE

APRIL 14, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: LOUIS HARRY YOUNG AND BEVERLY T. YOUNG  
Location: #2819 GEORGIA AVENUE  
Item No.: 400 (JCM) Zoning Agenda: APRIL 13, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by  
this Bureau and the comments below are applicable and required to be  
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl Reichard Jr.* Noted and  
Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JF/KEK

RECEIVED  
By \_\_\_\_\_

BALTIMORE COUNTY, MARYLAND  
Interoffice Correspondence

TO: Arnold Jablon, Director DATE: April 24, 1992  
Zoning Administration and Development Management  
FROM: Robert W. Bowling, P.E.  
SUBJECT: Zoning Advisory Committee Meeting  
for April 15, 1992

The Developers Engineering Division has reviewed  
the zoning items for the subject meeting and we have  
no comments for the following items:

No. 392  
No. 396  
No. 397  
No. 398  
No. 399  
No. 400  
No. 403  
No. 404  
No. 406  
No. 407  
No. 408  
No. 413  
No. 417  
No. 418  
No. 419

RWB:s

Louis and Beverly Young  
2819 Georgia Avenue  
Baltimore, Maryland 21227

COPY

Re: CASE NUMBER: 92-377-A  
LOCATION: 2819 Georgia Avenue  
13th Election District - 1st Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case  
number. Any contact made with this office should reference the case number. This letter also serves as a  
refresher regarding the administrative process.

1) Your property will be posted on or before April 19, 1992. The closing date is May 4, 1992. The  
closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing  
date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will  
issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the  
matter be set in for a public hearing. You will receive written notification as to whether or not your  
petition has been granted, denied, or will go to public hearing.

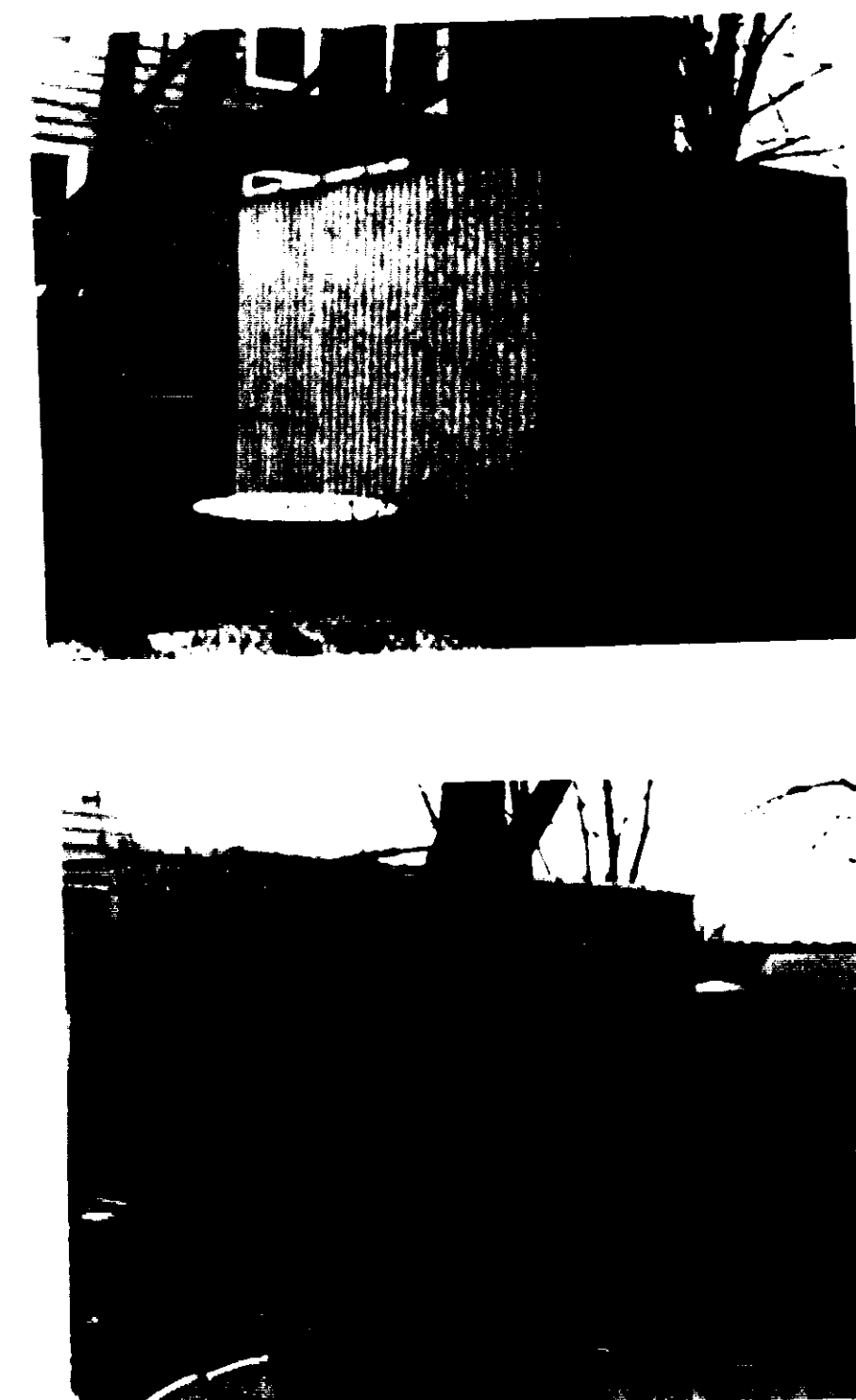
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the  
Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers.  
Charges related to the reporting and advertising are payable by the petitioner(s).

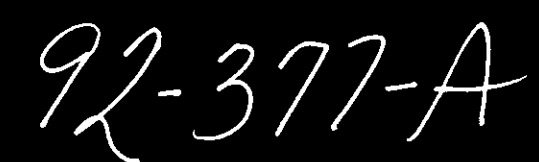
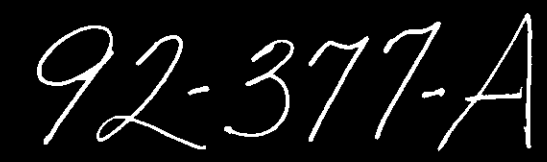
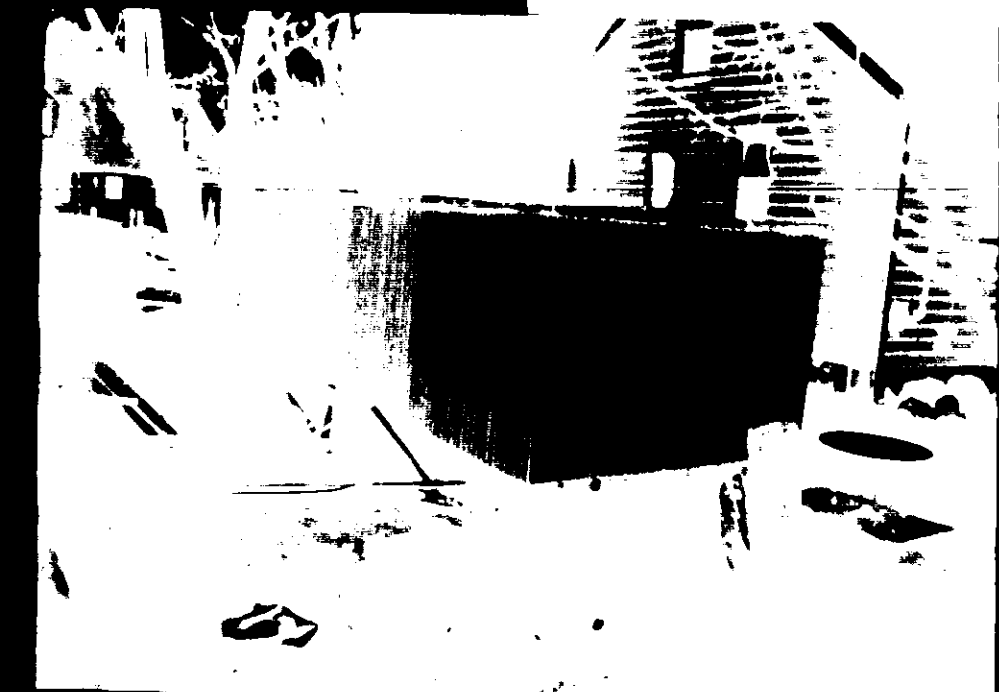
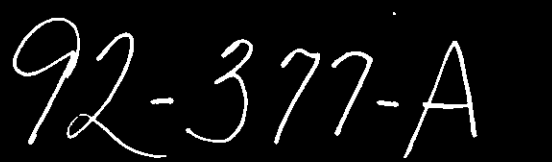
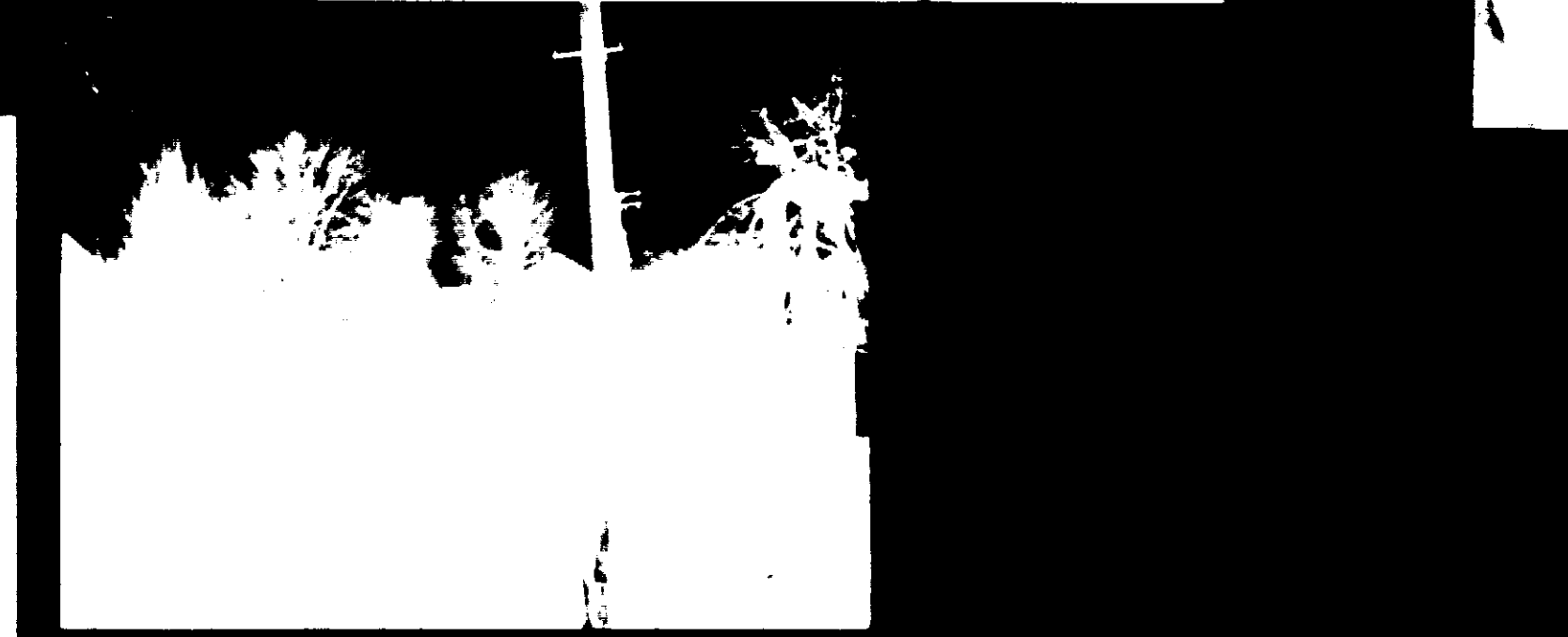
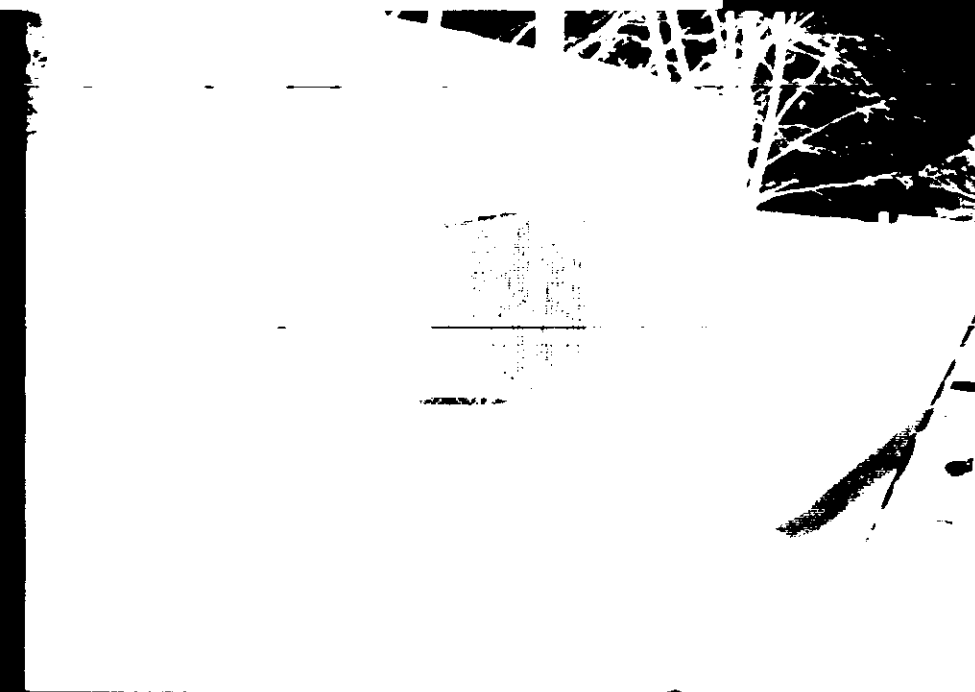
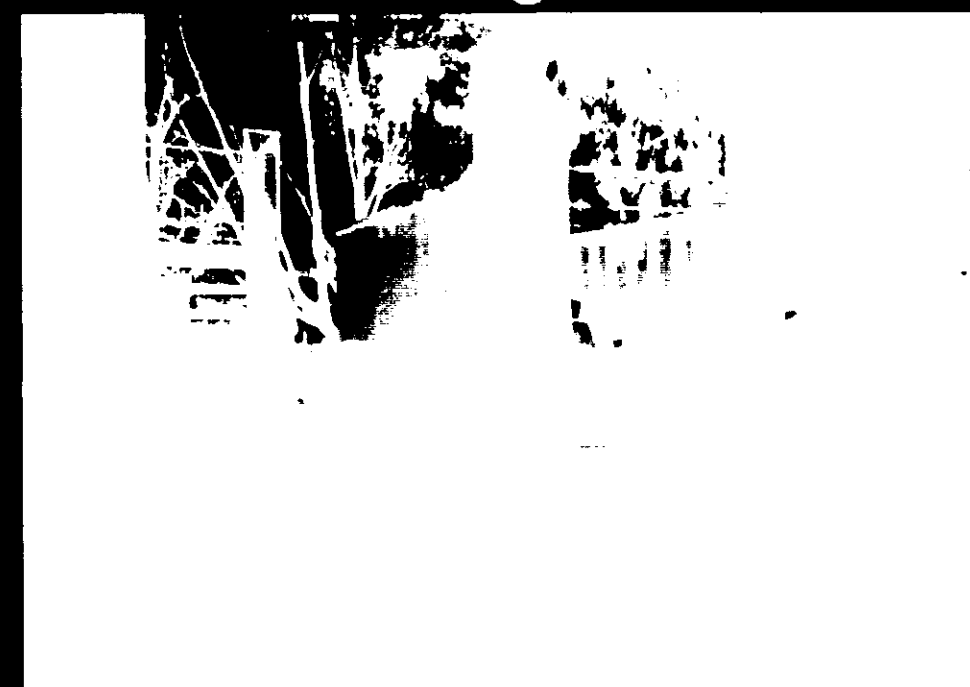
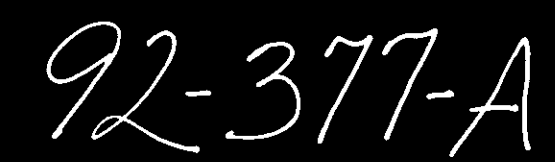
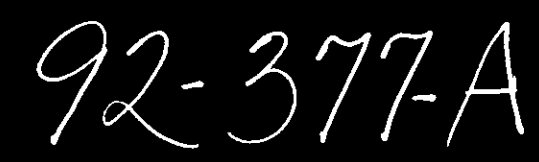
3) Please be advised that you must return the sign and post to this office. They may be returned after  
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE  
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND  
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE  
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR  
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner, Baltimore County

92-377A





5310021 12 copies

